

**MINUTES**  
**HUNTINGTON BEACH OFFICE OF THE ZONING ADMINISTRATOR**  
**Room B-8 - Civic Center**  
**2000 Main Street**  
**Huntington Beach California**

**WEDNESDAY, JANUARY 25, 2006 - 1:30 P.M.**

**ZONING ADMINISTRATOR:** Mary Beth Broeren

**STAFF MEMBER:** Rami Talleh, Ron Santos, Ramona Kohlmann (recording secretary)

**MINUTES:** **NONE**

**ORAL COMMUNICATION:** **NONE**

**ITEM 1: VARIANCE NO. 05-06 (ITSON RESIDENCE – CONTINUED FROM THE JANUARY 11, 2006, MEETING WITH THE PUBLIC HEARING OPEN)**

APPLICANT/  
PROPERTY OWNER: Cary and Diana Itson, 20172 Imperial Cove Lane, Huntington Beach, CA 92646

REQUEST: To allow improvements within the front yard of a single-family dwelling consisting of (a) an 11 ft.-4 in. deep driveway in lieu of the minimum required driveway depth of 20 ft. to access a parking space and (b) four percent of landscaping (39 sq. ft.) within the front yard setback in lieu of the minimum required 40 percent of landscaping (378 sq. ft.).

LOCATION: 20172 Imperial Cove Lane (east side of Imperial Cove Lane, and north of Masters Drive)

PROJECT PLANNER: Rami Talleh

Rami Talleh, Staff Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing uses of the requested project. Staff presented a review of the proposed project and stated that the request was continued from the January 11, 2006 meeting in order to change and re-notice the request because it was published at a length of 15 ft. instead of 11 ft.

Staff stated that the request is the result of a Code Enforcement action because the paving in the front yard is not in compliance with the municipal code for landscaping and parking.

Staff recommended denial of the request based upon the suggested findings for denial and presented suggested alternative plans.

Staff stated that letters were received from surrounding neighbors; 45 letters in opposition and 21 letters in support.

Staff stated that the applicant has provided photographs of similar properties with the same characteristics of the subject property.

Mary Beth Broeren, Zoning Administrator, reviewed photographs of the subject property and discussion ensued concerning the City code governing RV parking on residential property.

Ms. Broeren stated that she has reviewed the letters received by staff in addition to two additional letters received by her. She stated that she has read each letter in opposition as well as in support of the request.

#### **THE PUBLIC HEARING WAS OPENED.**

Edward Cannon, 20131 Crown Reef Lane, neighboring property owner, spoke in opposition of the proposed project stating that RV parking should not be allowed.

Tom Perkins, 20091 Crown Reef Lane, neighboring property owner, spoke in opposition of the proposed project stating that the property looks like a trailer park. Mr. Perkins further stated that an additional driveway has been created opposite the driveway for trailer parking. He presented photographs of the subject property for the record.

Joe Sheldon, 20151 Crown Reef Lane, neighboring property owner, asked staff to review the minutes from the prior meeting concerning this request.

Ms. Broeren and staff stated that a speaker voiced concern that the reduction in landscaping would be a negative impact on property value, that the cemented area would be used for RV parking in the front yard setback, and that a second speaker's concern was related to children and safety issues.

Julie Avila, 20181 Imperial Cove Lane, neighboring property owner, stated that the existing changes to the subject property looks very nice and that the applicant did talk to the neighbors before making the changes with no opposition.

Ruth Hickie, 20171 Imperial Cove Lane, neighboring property owner, spoke in opposition of the proposed project voicing concerns related to setting a precedent for more RV parking in the neighborhood.

Brian Lake, 3176 Country Club Drive, neighboring property owner, spoke in support of the proposed project. Mr. Lake reviewed the nature of the Code Enforcement violation and presented numerous suggested remedies thereof. He urged the Zoning Administrator to approve the requested variance and allow parking of the RV as permitted by City code.

Mr. Mosman, 20042 Treasure Circle, neighboring property owner, voiced concern that the existing trailer would be converted into a residential use and that electricity is currently being provided.

Richard Paul, 8651 Viscount Drive, neighboring property owner, asked what the City permitting process was for parking an RV in the street and in front of a house.

Diana Itson, 20172 Imperial Cove Lane, property owner, spoke extensively on behalf of the proposed project and presented numerous reasons for granting the variance while also

expressing disagreement with comments made by members of the public at today's hearing. Ms. Itson urged the Zoning Administrator's approval.

Elaine Wadleigh, 8731 Princess Circle, neighboring property owner, stated that the subject property has had a negative impact on her recent attempt to sell her home. Ms. Wadleigh voiced concern related to setting a precedent and urged the Zoning Administrator's denial.

Cary Itson, 20172 Imperial Cove Lane, property owner, stated that he was advised during a telephone call to the City that cementing did not require a permit and that he was not aware of the 40% landscaping requirement. Mr. Itson stated that by allowing the trailer to remain where it currently exists, space is available for parking of cars in the driveway.

James Wadleigh, 8731 Princess Circle, neighboring property owner, urged the Zoning Administrator to deny the request.

**THERE WERE NO OTHER PERSONS PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.**

Ms. Broeren engaged in discussions with staff concerning the City's Municipal Code recently adopted for parking of RV's on the street. Staff advised accordingly.

Ms. Broeren stated that she appreciates the RV storage issues. She stated that in order for the Zoning Administrator to approve a variance request, State law dictates that a total of four findings must be met. Ms. Broeren stated that these four findings must show that there is no special privilege, that special circumstances are relevant to the property, that granting of the request is required to preserve the enjoyment of the property, and that the request does not adversely affect the General Plan.

Ms. Broeren presented numerous reasons as to why the proposed project does not meet four required findings for approval. She stated that she has reviewed staff's alternative plans as permitted by Code and stated that the applicant can accomplish the alternative plans without a variance.

Ms. Broeren stated that based upon the foregoing she was going to deny the request. She asked staff to delete the last sentence in Suggested Findings for Denial No. 1 as follows:

~~The granting of a variance for the subject site to these code requirements without justification based on special circumstances related to the size, shape, topography, location or surroundings which render the project site unique among other properties in the vicinity and under identical zone classification would constitute a grant of special privilege and violation of state and local law.~~

Ms. Broeren advised as to the appeal process and stated that if an appeal is going to be considered, a thorough review of the findings required of the City per State law needs to be conducted.

**VARIANCE NO. 05-06 WAS DENIED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS FOR DENIAL. THE ZONING ADMINISTRATOR STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR CAN BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) CALENDAR DAYS.**

**FINDINGS FOR PROJECTS EXEMPT FROM CEQA:**

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15301 of the CEQA Guidelines, because the project consists of minor alterations to the site of a single family dwelling.

**FINDINGS FOR DENIAL - VARIANCE NO. 05-06:**

1. The granting of Variance No. 05-06 to permit an 11 ft.-4 in. deep driveway in lieu of the minimum required driveway depth of 20 ft. to access a parking space and four percent of landscaping (39 sq. ft.) within the front yard setback in lieu of the minimum required 40 percent of landscaping (378 sq. ft.) will constitute a grant of special privilege inconsistent with limitations upon other properties in the vicinity and under an identical zone classification. The subject site is an interior lot located on a local residential street developed with single-family homes with the same lot shape and size and developed with similar building footprints. Other properties with similar characteristics to the subject site comply with the minimum landscaping and do not have sufficient area to provided a second driveway.
2. The subject property does not exhibit special circumstances, including the size, shape, topography, location or surroundings which, when subject to the strict application of the zoning ordinance, deprives the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification. The subject property is typical in size, shape, and width of parcels in the RL (Residential Low Density) zoning district, has a level topography and is not uniquely located nor surrounded by development which is inconsistent with the RL zoning regulations.
3. The granting of a variance is not necessary to preserve the enjoyment of one or more substantial property rights. The subject property currently provides the on-site parking spaces required by the Huntington Beach Zoning and Subdivision Ordinance. In addition, the site provides at least one viable alternative for constructing a courtyard/additional parking space in conformance with the required front yard landscaping.
4. The granting of the variance will adversely affect the General Plan. It is inconsistent with the Land Use Element designation of RL-7 on the subject property, including the following General Plan Policies:
  - LU 9.1.2: Minimize the amount and width of the paving of front yards for driveway and garage access.
  - LU 9.2: Provide for the preservation of existing residential neighborhoods.

The proposed reduced front yard landscaping and reduced driveway depth would emphasize the parking area as the predominant feature of the dwelling as viewed from the street, and would not be compatible with the characteristic of the neighborhood

**THE MEETING WAS ADJOURNED AT 1:48 PM BY THE ZONING ADMINISTRATOR TO THE NEXT REGULARLY SCHEDULED MEETING OF THE ZONING ADMINISTRATOR ON WEDNESDAY, FEBRUARY 1, 2006 AT 1:30 PM.**

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Mary Beth Broeren  
Zoning Administrator

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